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Debra P. Hackett
Clerk, U.S. District Court
15 LEE ST STE 206
MONTGOMERY AL 36104-4055

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

February 11, 2008

Appeal Number: 07-14523-A

Case Style: Albert Carter, Jr. v. USA

District Court Number: 05-00654 CV-F-N-2 (03-00061-CR-2)

TO: Albert Carter, Jr. (AIS 107266)

CC: Debra P. Hackett

CC: James B. Perrine

CC: Kent B. Brunson

CC: Leura Garrett Canary

CC: Administrative File

United States Court of Appeals

Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

Thomas K. Kahn
Clerk

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February 11, 2008

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Albert Carter, Jr. (AIS 107266)
St. Clair CF
1000 SAINT CLAIR RD
SPRINGVILLE AL 35146-5582

DEBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Appeal Number: 07-14523-A

Case Style: Albert Carter, Jr. v. USA

District Court Number: 05-00654 CV-F-N-2 (03-00061-CR-2)

The following action has been taken in the referenced case:

The enclosed order has been ENTERED.

Sincerely,

THOMAS K. KAHN, Clerk

Reply To: Deborah Owens / spt (404) 335-6180

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

2008 FEB 13 A 10:10

No. 07-12345 BARKETT, CLM
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT

FEB 11 2008

THOMAS K. KAHN
CLERK

Plaintiff-Appellant,

ALBERT CARTER, JR.,

versus

UNITED STATES OF AMERICA,

Respondent-Appellee.

Appeal from the United States District Court for the
Middle District of Alabama

Before : CARNES and BARKETT, Circuit Judges.

BY THE COURT:

Appellant has filed a motion for reconsideration of this Court's order dated December 26, 2007. Upon reconsideration, appellant's motion for a certificate of appealability, as construed from the notice of appeal, is DENIED because appellant has failed to make a substantial showing of the denial of a constitutional right. See 28 U.S.C. § 2253(c)(2); Strickland v. Washington, 466 U.S. 668, 688, 104 S.Ct. 2052, 2065, 80 L.Ed.2d 674 (1984); Walker v. Jones, 10 F.3d 1569, 1572 (11th Cir. 1994).

Appellant's motion for leave to proceed on appeal in forma pauperis is DENIED AS MOOT.